

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : 00-CR-1274  
: :  
V. : :  
: : March 17, 2008  
JEAN MAXOM LUCIEN, : Brooklyn, New York  
: :  
Defendant. : :  
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TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT  
BEFORE THE HONORABLE RAMON E. REYES, JR.  
UNITED STATES MAGISTRATE JUDGE

## APPEARANCES:

For the Government: **UNITED STATES ATTORNEY  
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1                   THE COURT: Criminal Cause for Arraignment. Case No.  
2 00-CR-1274, The United States v. Jean Maxon Lucien. Counsel,  
3 state your name for the record.

4                   MR. KLUGMAN: Scott Klugman for the United States.  
5 Good afternoon, Your Honor.

6                   THE COURT: Good afternoon.

7                   MR. LEFF: Your Honor, Richard Leff, L, E, F, F, 80-02  
8 Kew Gardens Road, Kew Gardens, New York for Mr. Lucien.

9                   MR. KLUGMAN: Your Honor, this case involves a  
10 defendant that has been a fugitive since sometime in 2000.  
11 This individual who is standing before Your Honor was arrested  
12 returning from Canada and actually had the same name, at least  
13 the same first and last name of the individual charged in this  
14 case, but after reviewing photos, signatures and a fingerprint  
15 record I have determined that they are not the same person.  
16 This is not the person who is charged in this case, so we are  
17 just releasing this individual with the apologies of the  
18 Government.

19                   THE COURT: Mr. Lucien, do you understand what Mr.  
20 Klugman has said?

21                   MR. LUCIEN: Yes.

22                   THE COURT: Okay. And is has been an unfortunate case  
23 of -- I won't say mistaken identity, but since the similarities  
24 in your name with the person who is a fugitive that is why you  
25 were arrested. I think the best thing that the Court can do at

1 this point is issue an Order for the US Marshals to release  
2 you.

3 As far as what we can do down the road, because you  
4 still have the same, almost the same name, and I can't  
5 guarantee that this won't happen again, but we -- you need to  
6 have Mr. Leff work with Mr. Klugman to figure out something  
7 that can be done with the FBI or something to guard against  
8 this happening in the future, but it is beyond my ability to do  
9 that at this point. Do you understand?

10 MR. LUCIEN: Yes, Your Honor.

11 THE COURT: I apologize that this happened, but I  
12 think it goes to show that the Assistant United States  
13 Attorneys that work in this district and in other districts are  
14 very -- they understand the power that they have and that when  
15 things do go wrong, they step up to the plate and try to make  
16 them right. So, I thank Mr. Klugman for handling it in such a  
17 professional manner.

18 Is there anything else that we need to talk about?

19 MR. KLUGMAN: Nothing further, Your Honor.

20 MR. LEFF: Thank you, Judge.

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I certify that the foregoing is a transcript for an  
3 electronic sound recording of the proceedings in the  
4 above-entitled matter.

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Brenda Richards

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Dated: April 25, 2008.

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